

JUN 12 2017

TONY R. MCORE, CLERK  
BY:                       
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

BYRON J. BOUDREAUX, JR.

CIVIL ACTION NO. 6:16-cv-01264

VERSUS

JUDGE TRIMBLE

U.S. COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION

MAGISTRATE JUDGE HANNA

**JUDGMENT**

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

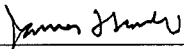
**IT IS ORDERED, ADJUDGED, AND DECREED** that the Commissioner's decision is REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g).<sup>1</sup> More particularly, the Commissioner is instructed to (1) determine whether any of the claimant's impairments, singly or in combination, meet or medically equal a listed impairment, including evaluation of the claimant's obesity in the determinative process, and (2) determine the claimant's

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<sup>1</sup> A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5<sup>th</sup> Cir. 1993).

residual functional capacity. The Commissioner should develop the record by obtaining treatment notes and other relevant documentation from the health care professionals who have provided services to the claimant since the alleged disability onset date, and the claimant should be afforded an opportunity to supplement the record with updated medical records and to testify at another hearing.

Signed at Alexandria, Louisiana, this 12<sup>th</sup> day of June, 2017.

  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE